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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO, et
al.,

Case No. 3:25-cv-03698-SI

DECLARATION OF BETHANY DREYFUS

Plaintiffs,

V.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

DECLARATION OF BETHANY DREYFUS

2 I, Bethany Dreyfus, declare as follows:

3 1. I am over 18 years of age and competent to give this declaration. This declaration is
4 based on my personal knowledge, information, and belief.

5 2. I have been an Attorney Advisor in the Environmental Protection Administration
6 ("EPA"), Region 9 Office of Regional Counsel, which is located in San Francisco, for 24 years.

7 3. The EPA's mission is to protect human health and the environment. EPA serves the
8 American people by upholding statutory requirements to maintain clean air, clean water, and clean
9 land. EPA employees foster environmental stewardship by equipping Americans with the
10 information they need to respond to human health and environmental risks and holding
11 responsible parties to account for the remediation and revitalization of contaminated air, water,
12 and land.

13 4. I am the President of the American Federation of Government Employees, Local
14 1236 (“Local 1236” or the “Union”). I have been a member of Local 1236 since its formation in
15 2009. I have served as the President of Local 1236 for seven years.

16 5. Local 1236 represents a bargaining unit of approximately 74 professional and
17 nonprofessional employees at EPA Region 9 Headquarters in San Francisco, California, and the
18 National Center for Radiation Field Operations in Las Vegas, Nevada.

19 6. Region 9 Office of Regional Counsel is organized into two branches, the
20 Hazardous Waste Branch, and the Air, Toxics, Water and General Law Branch. The office
21 administers four programs, enforcement, ethics, legal counseling, and FOIA. Region 9 serves
22 California, Arizona, Hawai‘i, Nevada, the Pacific Islands, and 148 Tribal Nations.

23 7. Local 1236 bargaining unit employees at the Region 9 Headquarters are attorney-
24 advisors who support all aspects of the work conducted by the EPA in Region 9 (California,
25 Arizona, Hawaii, Nevada, Pacific Islands, and the lands of 148 tribal governments). This includes
26 the review of contracts and grants, legal support for the EPA's emergency response efforts, and
27 criminal enforcement of the Clean Air Act, Clean Water Act, the Superfund Act, and the Privacy
28 Act.

1 8. The National Center for Radiation Field Operations is a critical component of
2 EPA's Radiological Emergency Response Team and is essential to the agency's radiological
3 emergency and accident response. The Center also hosts training events and manages field
4 resources for other radiation and air monitoring services.

5 9. Local 1236 bargaining unit employees at the National Center for Radiation Field
6 Operations include physical scientists, environmental engineers, health physicists, program
7 assistants, budget specialists, and IT specialists. These bargaining unit members are highly skilled
8 and perform work that is critical to the EPA's mission in Region 9. Local 1236 bargaining unit
9 employees administer the EPA's Tribal Air Monitoring Support Center, which helps to ensure that
10 the protections afforded by the Clean Air Act are present on tribal lands. Local 1236 bargaining
11 unit employees also comprise the EPA's Radiological Emergency Response Team, which leads
12 preparedness and response efforts in radiological emergencies.

13 10. AFGE Local 1236's operations are funded through voluntary dues paid by
14 members.

15 11. AFGE Local 1236's mission is to advocate for the rights, safety, and fair treatment
16 of its bargaining unit employees. As the exclusive bargaining representative of these workers, the
17 Union provides many services to all bargaining unit employees, not just its members. Core
18 functions of the Union include collective bargaining with the agency to obtain a fair and
19 reasonable collective bargaining agreement ("CBA"); filing and negotiating grievances against the
20 agency to enforce the terms and conditions of the CBA; pursuing arbitrations on behalf of workers
21 to enforce the CBA; and providing other support, guidance, and resources to bargaining unit
22 employees.

23 12. On April 21, 2025, EPA's Assistant Deputy Administrator Travis Voyles sent out
24 two notices affecting EPA Region 9 employees. The first, entitled "Notice of Intent to Conduct a
25 Reorganization," states that EPA will conduct a reorganization pursuant to the president's
26 Executive Orders 14151 and 14210, to take effect June 29, 2025. A true and correct copy of this
27 first notice is included as Exhibit A. The second, entitled "Notice of Intent to Conduct a Reduction
28

1 in Force,” cites the same Executive Orders and lists July 31, 2025 as the effective date of the
2 reduction in force (“RIF”). A true and correct copy of this second notice is included as Exhibit B.

3 13. Local 1236 bargaining unit employees have not yet received RIF or reorganization
4 notices. Local 1236 learned shortly after the April 21, 2025 notices went out, via word of mouth,
5 that every employee in the Region 9 Environmental Justice, Community Engagement and
6 Environmental Review Division (“EJCEER”) received either a RIF or reorganization notice.

7 14. At 6:02 PM on April 21, 2025, a Senior Labor Advisor in EPA’s Office of Mission
8 Support emailed union leaders, including the President of AFGE Council 238, regarding the
9 notices sent out by the Assistant Deputy Administrator, stating “[e]mployees affected (either by a
10 RIFs [sic] or reorganizations [sic]) are generally those employees who were placed on
11 administrative leave earlier this year, identified to the unions on March 5, 2025. We have no
12 further information to share at this time.” A true and correct copy of the April 21 email is included
13 as Exhibit C.

14 15. Local 1236 bargaining unit employees are in a state of constant fear, anxiety, and
15 uncertainty over whether they will be affected by the agency’s RIF and reorganization plans.
16 Many fear not only for their job security and ability to provide income, health care benefits, and
17 retirement security for themselves and their families, but for their ability to carry out EPA’s
18 mission.

19 16. The work of the Environmental Justice, Community Engagement and
20 Environmental Review Division directly affects the work of Local 1236 bargaining unit
21 employees. EJCEER employees ensure the mission of the EPA has a tangible impact on people
22 and communities, often working directly with tribal governments to ensure regulations are
23 observed across state borders. Without EJCEER, and with even more separations to come, Local
24 1236 bargaining unit employees believe they will lack critical support to be able to effectively do
25 their jobs.

26 17. In response to these developments, Local 1236 has been forced to devote
27 substantial resources to assisting our members and providing guidance about retirement, benefits,
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1 separation from federal service, and RIFs. Local 1236 leaders have devoted their time, energy, and
2 resources to this overwhelming demand, diverting critical resources from other Union priorities.

3 18. Local 1236 is preparing for a significant reduction to the size of our unit and the
4 financial and operational harm that reduction will cause.

5 19. The removal of Local 1236 members from federal employment will significantly
6 weaken the Union's bargaining power, as our bargaining strength is directly tied to the number of
7 employees we represent.

8 20. Local 1236 will likely lose some of its members if EPA effectuates its RIF and
9 reorganization plans. This loss will have a direct impact on the Union's financial stability and its
10 ability to provide essential services to both members and affiliates.

11 21. The implementation of RIFs at EPA, in compliance with Executive Orders 14151
12 and 14210, will have severe consequences for Local 1236's ability to perform its core functions.
13 The EPA will suffer a significant loss of its ability to enforce statutorily-mandated environmental
14 standards in Region 9. California and its neighboring states will be more exposed to critical
15 environmental threats such as airborne smog, unsafe drinking water, and radiological
16 contamination despite the EPA's Congressional mandate to protect Americans from such threats.

17 I declare under penalty of perjury under the laws of the United States that the foregoing is
18 true and correct. Executed April 26, 2025, in Oakland, CA.

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Bethany Dreyfus

Exhibit A

**OFFICE OF THE ADMINISTRATOR**

WASHINGTON, D.C. 20460

April 21, 2025

MEMORANDUM**SUBJECT:** Notice of Intent to Conduct a Reorganization**FROM:** Travis Voyles, Assistant Deputy Administrator**TO:** Office of Environmental Justice and External Civil Rights
Regional Environmental Justice Divisions

This notice is to inform you that the U.S. Environmental Protection Agency will be conducting a reorganization. The reorganization will utilize regular restructuring procedures as well as Transfer of Function, in accordance with the Office of Personnel Management Workforce Reshaping Handbook and Title 5 of the Code of Federal Regulations.

The decision to conduct a reorganization has been made pursuant to Executive Order 14151, *Ending Radical and Wasteful Government DEI Programs and Preferencing* and Executive Order 14210, *Implementing The President's "Department of Government Efficiency" Workforce Optimization Initiative*, which "commence[d] a critical transformation of the Federal bureaucracy" and directed agencies to "eliminat[e] waste, bloat, and insularity" in order to "empower American families, workers, taxpayers, and our system of Government itself."

This action is necessary to align our workforce with the Agency's current and future needs and to ensure the efficient and effective operation of our programs. With this action, EPA is delivering organizational improvements to the personnel structure that will directly benefit the American people and better advance the Agency's core mission of protecting human health and the environment.

Effective Date

The Transfer of Function reorganization will take effect on June 29, 2025.

Next Steps

EPA provides employees with an Employee Assistance Program. EAP provides confidential counseling and referral services to assist employees in resolving personal or work-related problems. Participation is voluntary, and the program is strictly confidential. If you believe these services would be appropriate for your situation or would like more information on EAP services, you may visit

<https://intranet.epa.gov/ohr/benefits/eap/index.htm>. The website and mobile app password is [REDACTED]. If you are not able to access the EPA intranet, you may call [REDACTED], visit the [Acentra Health](#) website or download the Acentra Health app from Apple Store or Google Play. The website and mobile app password is [REDACTED].

President Trump was elected with a mandate from the American people. Part of this mandate includes the issuance of an Executive Order that directs the critical transformation of the Federal bureaucracy to empower American families, workers, taxpayers and our system of government itself. Under the Trump Administration, EPA is affirming our commitment to serve every American and advance the Agency's core mission of protecting human health and the environment.

Thank you for your understanding and cooperation during this time.

Exhibit B

**OFFICE OF THE ADMINISTRATOR**

WASHINGTON, D.C. 20460

April 21, 2025

MEMORANDUM**SUBJECT:** Notice of Intent to Conduct a Reduction in Force**FROM:** Travis Voyles, Assistant Deputy Administrator**TO:** Office of Environmental Justice and External Civil Rights
Regional Environmental Justice Divisions

This notice is to inform you that the U.S. Environmental Protection Agency will be conducting a Reduction in Force in accordance with the Office of Personnel Management Workforce Reshaping Handbook and Title 5 of the Code of Federal Regulations governing RIF procedures.

The decision to conduct a RIF has been made pursuant to Executive Order 14151, *Ending Radical and Wasteful Government DEI Programs and Preferencing* and Executive Order 14210, *Implementing The President's "Department of Government Efficiency" Workforce Optimization Initiative*, which "commence[d] a critical transformation of the Federal bureaucracy" and directed agencies to "eliminat[e] waste, bloat, and insularity" in order to "empower American families, workers, taxpayers, and our system of Government itself."

This action is necessary to align our workforce with the Agency's current and future needs and to ensure the efficient and effective operation of our programs. With this action, EPA is delivering organizational improvements to the personnel structure that will directly benefit the American people and better advance the Agency's core mission of protecting human health and the environment.

Effective Date

The RIF will take effect on July 31, 2025, with formal notices being issued to affected employees at least 30 days prior to the effective date, as required under Title 5 CFR and allowed by OPM approval of EPA's request for an exception to the 60-day notice period provided to employees selected for release through a RIF.

Employee Rights and Support

We understand that this announcement may cause concern and uncertainty. Please be assured that we are committed to supporting all affected employees throughout this process. Below are key points regarding your rights and the support available to you:

1. Competitive Areas and Levels

The RIF will be conducted within defined competitive areas and levels, in accordance with Title 5 CFR §§351.402 and 351.403.

2. Retention Standing

Employees will be ranked on a retention register based on tenure, veterans' preference, length of service and performance ratings, as outlined in Title 5 CFR §351.501.

3. Appeal Rights

Employees who receive a RIF notice have the right to appeal the decision to the Merit Systems Protection Board or file a grievance under any applicable negotiated grievance procedure.

4. Placement Assistance

We will provide information on how you can receive career transition assistance, including resume workshops, career counseling and job search resources. Additionally, we will coordinate with other Federal agencies to explore placement opportunities.

Next Steps

Our priority is to ensure a fair and transparent process while providing the necessary support to those affected. You will be invited to attend informational meetings to gain further details about the RIF process, benefits and state-specific career transition assistance.

EPA provides employees with an Employee Assistance Program. EAP provides confidential counseling and referral services to assist employees in resolving personal or work-related problems. Participation is voluntary, and the program is strictly confidential. If you believe these services would be appropriate for your situation or would like more information on EAP services, you may visit

<https://intranet.epa.gov/ohr/benefits/eap/index.htm>. The website and mobile app password is [REDACTED].

If you are not able to access the EPA intranet, you may call [REDACTED], visit the [Acentra Health](#) website or download the Acentra Health app from Apple Store or Google Play. The website and mobile app password is [REDACTED].

President Trump was elected with a mandate from the American people. Part of this mandate includes the issuance of an Executive Order that directs the critical transformation of the Federal bureaucracy to empower American families, workers, taxpayers and our system of government itself. Under the Trump Administration, EPA is affirming our commitment to serve every American and advance the Agency's core mission of protecting human health and the environment.

Thank you for your understanding and cooperation during this time.

Exhibit C



Outlook

----- Forwarded message -----

From: **Coomber, Robert** <[REDACTED]@epa.gov>

Date: Mon, Apr 21, 2025 at 6:02 PM

Subject: Notices of Intent to Conduct RIFs and a Reorganization

To: AFGE President <[REDACTED]>, Joyce Howell <[REDACTED]>, Jacobs, Sara <[REDACTED]>, Davis, Zakiya <[REDACTED]>, Lynne, Diane <[REDACTED]>, Cooper, Destinee <[REDACTED]>, John Campbell-Orde <[REDACTED]>, Ottlinger, Michael <[REDACTED]>, Barker, Justin <[REDACTED]>

Cc: Jones, Laura <[REDACTED]>, Atkinson, Ryan <[REDACTED]>

Union Leaders,

Attached are notices of EPA's intent to conduct RIFs and Reorganizations. Employees are receiving these notices as well.

Employees affected (either by a RIFs or reorganizations) are generally those employees who were placed on administrative leave earlier this year, identified to the unions on March 5, 2025. We have no further information to share at this time.

Please note that I sent this at a time that was convenient for me without expectation for a response outside of business hours. If you receive this email outside of your normal working hours, please know that I do not expect a response until you are back at work during your normal hours.

They can because we do!



EPA Office of Mission Support

Senior Labor Advisor

Bob Coomber

Bob